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11 Attorney for Third-Party Defendant
12 BEBOUT CONCRETE, INC.

13
14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 AZURE MANOR/RANCHO DE PAZ
17 HOMEOWNERS ASSOCIATION, a Nevada
18 residential, common-interest planned
19 community.

20 CASE NO.: 2:14-cv-02222-JCM-NJK

21 Plaintiffs,
22 vs.
23 D.R. HORTON, INC., a Delaware
24 corporation, and DOES 1-100, inclusive.

25 STIPULATION AND ORDER TO
26 DEEM SETTLEMENT AGREEMENT
27 AND RELEASE FULLY EXECUTED
28 AND FOR DISMISSAL OF THIRD-
PARTY DEFENDANT BEBOUT
CONCRETE, INC., WITH
PREJUDICE

29 D.R. HORTON, INC.

30 Third-Party Plaintiff
31 v.

32 ALLARD ENTERPRISES d/b/a IRON
33 SPECIALISTS; AMERICAN ASPHALT &
34 GRADING COMPANY; ATRIUM DOOR
35 AND WINDOW COMPANY; BEBOUT
36 CONCRETE, INC.; BEL-AIR
37 PLASTERING, INC.; CENTRAL VALLEY
38 INSULATION; CREATIVE TOUCH
39 INTERIORS, INC.; DISTINCTIVE
40 MARBLE, INC.; EFFICIENT ELECTRIC,
41 INC.; GILMORE CONSTRUCTION, LLC;
42 HARRISON LANDSCAPE COMPANY,
43 LLC; MAJESTIC PLUMBING, INC.;
44 NEVADA LANDSCAPING, INC.; NEW
45 CREATION MASONRY, INC.; OPM, INC.
46 d/b/a CONSOLIDATED ROOFING;
47 QUALITY WOOD PRODUCTS LTD.;
48 SILVER STATE FIREPLACES, INC.;
49 SOUTHERN NEVADA PAVING, INC.

50

1 SUMMIT DRYWALL & PAINT, LLC;
2 SUNRISE MECHANICAL, INC.;
3 SUNSTATE COMPANIES, INC. d/b/a
4 SUNSTATE LANDSCAPE; WESTERN
5 SHOWER DOOR; ZEPEDA BROS. PAINT
6 & DRYWALL, LLC; and DOES 1 through
7 150.

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9 Third-Party Defendants.

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STIPULATION AND ORDER TO DEEM SETTLEMENT AGREEMENT AND
RELEASE FULLY EXECUTED AND FOR DISMISSAL OF THIRD-PARTY
DEFENDANT BEABOUT CONCRETE, INC., WITH PREJUDICE

19 IT IS HEREBY STIPULATED, by and between Third-Party Defendant BEABOUT
20 CONCRETE, INC., by and through its attorneys of record, the law firm of Grant & Associates,
21 and Defendants/Third-Party Plaintiffs D.R. HORTON, INC., by and through its attorneys of
22 record, Wood Smith Henning & Berman LLP, that (1) Beabout Concrete, Inc. is a permanently
23 revoked corporation, inactive since 2014, and therefore does not have a representative to sign
24 the Settlement Agreement and Release; (2) Beabout Concrete, Inc. and D.R. Horton, Inc.
25 stipulate that the Settlement Agreement and Release, attached as "Exhibit A" should be deemed
26 fully executed by this Court; and (3) Defendants/Third-Party Plaintiffs' *Third-Party Complaint*
27 in Case No. 2:14-cv-02222-JCM-NJK, and all causes of action contained therein, is hereby
28 dismissed, with prejudice, as to Third-Party Defendant BEABOUT CONCRETE, INC., only.

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1 Each party shall bear its own attorneys' fees and costs.

2 IT IS SO STIPULATED.

3 DATED this 2 day of January ²⁰²⁰ 2019

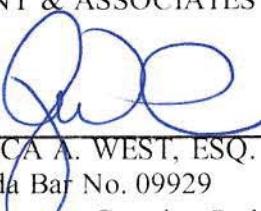
4 WOOD SMITH HENNING & BERMAN,
LLP

5 Betty J. D. NV Bar No. 14517 for
6 ELISA L. WYATT, ESQ.

7 Nevada Bar No. 13034
8 2881 Business Park Court, Suite 200
9 Las Vegas, Nevada 89128
10 Attorneys for Defendants/
11 Third-Party Plaintiffs
12 D.R. HORTON, INC.

DATED this 31 day of January, ²⁰ 2019

GRANT & ASSOCIATES

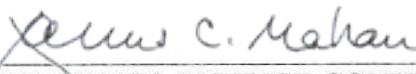

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7455 Arroyo Crossing Parkway, Suite 300
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Attorney for Third-Party Defendant
BEBOUT CONCRETE, INC.

ORDER

13 IT IS SO ORDERED.

14 Dated January 9, 2020.


15 Dennis C. Mahan
16 UNITED STATES DISTRICT COURT JUDGE